



DAC #5
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Signature

10/04/2003

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE:

Serial no.: 09/925,696
Filing date: 08/09/2001
For: Weigela Plant named 'Pink Poppet'
Inventor: Benetka
Atty. Docket no.: PH44
Group Art Unit: 1661
Examiner: Grunberg

PETITION UNDER 37 C.F.R. §1.181

TO WITHDRAW THE HOLDING OF ABANDONMENT

This is in response to the Notice of Abandonment mailed 09/17/2003.

The petitioner respectfully requests that the abandonment set forth in the notice mailed by the office on 09/17/2003 be withdrawn. In support of this petition the following documents are submitted:

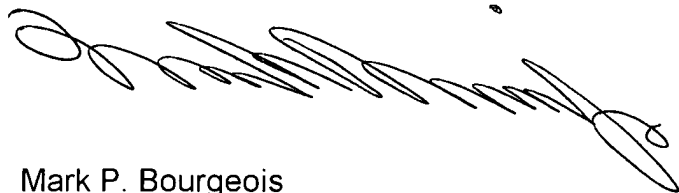
1. A true copy of the Notice of Abandonment for failure to respond mailed on 09/17/2003.
2. A true copy of the Applicant's Response to the first office action including a response to the request for information under 37 CFR 1.105 that shows a Certificate of Mailing executed on 01/08/2003. Included are copies of the CPVO grant, application and denomination for 'Plangen', the Czech 'Piccolo' grant, a power of

attorney, a clean version of the substitute specification and a marked up version of the substitute specification.

3. A true copy of the return postcard for the Applicant's Response with a USPTO date stamp of 01/14/2003.

No fee is required for this petition. The applicant respectfully requests that the active status of this application be acknowledged and that the holding of abandonment be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Bourgeois', with a stylized, cursive flourish at the end.

Mark P. Bourgeois

Reg. No. 37,782